

REQUEST TO WITHDRAW PREMATURE FINAL REJECTION

The Office Action dated November 23, 2005 entered a rejection that was marked "final". It is respectfully submitted that finality of the rejection was premature, and should be withdrawn, for the following reasons.

Specifically, the Office Action entered a new rejection over U.S. Patent No. 5,175,485 (Joo) and U.S. Patent No. 5,998,966 (Gaza). According to the Office Action, this rejection was necessitated by the submission of an information disclosure statement with the fee set forth in 37 CFR 1.17(p). See para. 11 of the Office Action.

While it is true that Joo and Gaza were cited in the Information Disclosure Statement dated October 13, 2005, the Information Disclosure Statement was not filed with the fee set forth in 37 CFR 1.17(p). Rather, the Information Disclosure Statement was submitted with a statement under 37 CFR 1.97(c).

Accordingly, pursuant to MPEP §§ 706.07(a) and 706.07(d), Applicants respectfully submit that finality of the rejection over Joe and Gaza is premature and should be withdrawn.

REMARKS

Claims 1, 5 to 18, 20 to 22, 24 to 29, and 31 to 33 are in the application, with Claims 1 and 22 being independent. Claims 3, 4, 19, and 23 have been cancelled without prejudice. Claims 1, 5, 12, and 20 to 22 have been amended herein. Reconsideration and further examination are respectfully requested.

The drawings were objected to for not showing features recited by Claim 31.

This objection is respectfully traversed.

Applicants submit that the illustration of too many features can obscure rather than facilitate an understanding of the invention. Further, Applicants submit that there is no useful purpose in illustrating that which is shown in the prior art. See MPEP § 608.02(g).

The specification was objected to as failing to provide antecedent basis for the following language recited in Claims 32 and 33: "without a resistor being connected to the rechargeable battery". This objection is respectfully traversed.

Applicants submit that the meaning of this terminology is apparent from the descriptive portion of the specification with reference to the drawings. See, for example, page 31, lines 9 and 10, and Fig. 10 of the instant application. In this regard, similar language was recited in originally-filed Claims 14 and 16.

Applicants gratefully acknowledge the indication of allowable subject matter in Claims 4 to 6, 8 to 10, 12 to 17, 19 to 21, 32, and 33.

Objections were lodged against Claims 1, 12, and 22. These objections are respectfully traversed, and are submitted to have been obviated by the amendments made to Claims 1, 12, and 22.

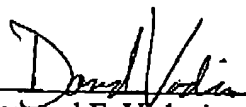
Claims 1 to 3, 7, 11, 18, 22 to 29, and 31 were rejected under 35 U.S.C. § 103(a) over U.S. Patent No. 5,175,485 (Joo) in view of U.S. Patent No. 5,998,966 (Gaza). (It is believed that Claim 18 was inadvertently included in the list of rejected claims since Claim 18 depends from allowable Claim 12.) The rejection is respectfully traversed, and is submitted to have been obviated by the amendments made to Claims 1 and 22. In particular,

Claim 1 has been amended to include the substance of Claims 3 and 4, and Claim 22 has been amended to include the substance of Claims 4 and 23.

The application is believed to be in condition for allowance, and a Notice of Allowance is respectfully requested.

Applicants' undersigned attorney may be reached in our Costa Mesa, California office by telephone at (714) 540-8700. All correspondence should be directed to our address given below.

Respectfully submitted,



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